

IN THE SENATE

SENATE BILL NO. 1343

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO IDAHO WORKING LANDS; TO PROVIDE LEGISLATIVE INTENT; AND AMENDING TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 92, TITLE 67, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE FOR THE WORKING LANDS FUND, TO PROVIDE FOR THE WORKING LANDS FUND COMMITTEE, TO PROVIDE FOR ADMINISTRATIVE COSTS, TO PROVIDE FOR THE PURPOSES FOR WHICH GRANTS MAY BE AWARDED AND TO REQUIRE PROJECT SPONSORS TO MATCH FUNDS GRANTED FOR EACH PROJECT.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. LEGISLATIVE INTENT. (1) It is hereby declared by the Legislature of the state of Idaho that:

(a) Idaho's working forests, ranches and farms provide important benefits to all Idahoans by sustaining Idaho's economy, food and fiber production, the heritage of local communities, habitat for wildlife, intact watersheds for clean water and opportunities to hunt, fish and enjoy the outdoors.

(b) Working forests, ranches and farms, and the benefits they provide, have been lost to other uses in recent decades.

(c) Many of Idaho's rural landowners are deeply committed to maintaining forestry and agricultural traditions, and to serving as stewards of natural resources and wildlife.

(2) It is hereby declared as the purpose of this act to protect and enhance the benefits that working lands provide to Idahoans by providing a source of funds to complement the land conservation and stewardship programs of state natural resources agencies by, among other things, assisting such agencies and public organizations in meeting match requirements of land conservation programs.

SECTION 2. That Title 67, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW CHAPTER, to be known and designated as Chapter 92, Title 67, Idaho Code, and to read as follows:

CHAPTER 92

THE IDAHO WORKING LANDS FUND ACT

67-9201. SHORT TITLE. This chapter shall be known and may be cited as "The Idaho Working Lands Fund Act."

67-9202. DEFINITIONS. When used in this chapter:

(1) "Committee" means the working lands fund committee established in section 67-9204, Idaho Code;

(2) "Conservation agreement" means an agreement between a landowner and the project sponsor incorporating a landowner's commitment to specific management actions, land uses or restrictions that further the purposes

1 enumerated in section 67-9205(1), Idaho Code, and that meet the criteria
2 developed by the committee;

3 (3) "Project sponsor" means any government entity authorized to
4 hold interests in real property or any private not-for-profit charitable
5 organization organized for land conservation purposes that is authorized to
6 do business in the state of Idaho, has tax exempt status as a charity under
7 section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and
8 meets the requirements of an "eligible donee" as defined in section 1.170A -
9 14(c)(1) of the treasury regulations to the Internal Revenue Code of 1986;
10 and

11 (4) "Working lands" means an identified parcel of land located in the
12 state of Idaho and actively devoted to agriculture as defined by section
13 63-604, Idaho Code, or held as forest land as defined by section 63-1701,
14 Idaho Code.

15 67-9203. WORKING LANDS FUND. (1) There is hereby created and
16 established in the state treasury a fund to be known and designated as
17 the "working lands fund." The fund shall consist of such moneys as may be
18 provided by legislative appropriations or otherwise directed to the fund by
19 the legislature and all moneys granted, donated, contributed, bequeathed or
20 otherwise provided to the fund by the federal government or any other person.
21 The fund is specifically empowered to accept grants, gifts, transfers,
22 bequests and donations, including those which are limited in their purpose
23 by the grantor.

24 (2) All interest income from the fund is hereby appropriated to, and is
25 to be administered by, the committee established by section 67-9204, Idaho
26 Code, for the purposes of carrying out this act.

27 67-9204. WORKING LANDS FUND COMMITTEE -- ADMINISTRATION. (1) There
28 is hereby created the working lands fund committee. The committee shall
29 consist of the following members appointed by and serving at the pleasure of
30 the governor:

- 31 (a) A representative of private livestock grazing interests;
- 32 (b) A representative of private farming interests;
- 33 (c) A representative of private forestry interests;
- 34 (d) Two (2) members representing the interests of hunting, fishing or
35 fish and wildlife conservation;
- 36 (e) A representative of the department of fish and game;
- 37 (f) A representative of the office of species conservation;
- 38 (g) A representative of the department of lands; and
- 39 (h) A representative of the Idaho state department of agriculture.

40 (2) All members shall be appointed to terms of three (3) years, except
41 that the term of initial appointees shall be of staggered lengths. The
42 governor shall appoint the chairperson of the committee from among its
43 members.

44 (3) The committee shall have the following powers and duties:

- 45 (a) To administer a grant program that accepts proposals from project
46 sponsors to meet the purposes of this act;
- 47 (b) To conduct a needs assessment that describes the nature and scale
48 of the loss of working lands for the various regions of the state and the

1 effects of such loss on wildlife, recreation, environmental quality and
2 other public benefits of working lands;

3 (c) To complete a strategic plan setting forth specific criteria and
4 priorities for use of the fund;

5 (d) To request applications for grants from the fund, to establish
6 application procedures and to adopt eligibility and ranking criteria;

7 (e) To evaluate applications based upon the purposes of this act and
8 criteria established in the strategic plan, and if qualified in the
9 opinion of the committee, to award grants subject to the availability of
10 funds; and

11 (f) To complete an annual report describing funds received and
12 disbursed and evaluating the success of the grant program.

13 (4) For budgetary and administrative support purposes, the committee
14 shall be assigned to the office of species conservation. The committee may
15 request staff services from any department or office represented on the
16 committee. Members of the committee who are not state officers or employees
17 shall serve without compensation except for reimbursement of actual and
18 necessary expenses pursuant to section 59-509(b), Idaho Code.

19 (5) Up to fifteen percent (15%) of the fund's moneys may be used to
20 defray program administrative costs. Any moneys unused at the end of the
21 fiscal year shall be returned to the state treasurer for deposit in the
22 working lands fund.

23 67-9205. PURPOSES FOR GRANTS FROM THE WORKING LANDS FUND. (1) The
24 committee may award grants that provide voluntary incentives to owners of
25 working lands and project sponsors to enter into conservation agreements for
26 the following purposes:

27 (a) To promote stewardship of natural resources;

28 (b) To protect or enhance habitat for fish, wildlife and native plants;

29 or

30 (c) To provide for recreational opportunities including, but not
31 limited to, hunting, fishing and access to public lands.

32 (2) Project sponsors shall be required to match the funds granted for
33 each project, so that no more than one-half (1/2) of the monetary support for
34 any project shall come from the proceeds of the fund. Project sponsors may
35 meet this requirement by securing funds from other sources for the actions
36 proposed in the grant application submitted to the committee.